

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Case No. 7:20-CR-167-M-3

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORDAN DUNCAN,

Defendant.

ORDER

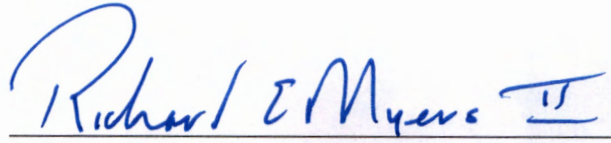
This matter comes before the court on the United States' motion for an order compelling the disclosure of certain details relating to discovery [DE 430]. Specifically, the United States moves the court "to order defendant to provide the government the file name(s) and location(s) of the purported classified information he claims was on the most recent discovery." DE 430 at 1. Defendant opposes the motion, contending his Fifth Amendment right against compelled self-incrimination protects him from an order requiring further specificity as to the location of the classified information beyond the specific production containing the materials. *See* DE 431 at 1.

At the status conference on April 16, 2024, the parties assisted the court in identifying an alternative procedure that would reasonably address both parties' concerns while avoiding any unnecessary rulings on constitutional issues. Based on the parties' agreement, the court ORDERED as follows:

The United States and the defense shall make appropriate arrangements for a clearance process for defense counsel and a paralegal to have access to the materials contained in Production 11 in a facility that is appropriate for the handling of classified information. In the context of that production, the defense will be allowed to make appropriate copies or request appropriate hard copies.

Accordingly, the United States' motion [DE 430] is DENIED as MOOT.

SO ORDERED this 29th day of April, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE